

TOWN OF TRURO
BOARD OF SELECTMEN
MEETING OF TUESDAY, MAY 29, 2007

The Truro Board of Selectmen met for their weekly session on Tuesday, May 29, 2007 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Gary Palmer, Clerk Christopher R. Lucy, Town Administrator Pamela Nolan, Assistant Town Administrator Charleen Greenhalgh, Administrative Secretary Julie DuPree, Carol Nickerson, Martha Nagy, Paul Morris, Deb McCutcheon, Fred Schilpp, Lucy and Nick Brown, Rick Lavin, Susan Kadar, Cheryl Grenier, Gladys Bateman, Dennis Klass and Kevin Mullaney of the Banner. Curtis Hartman and Jan Worthington were absent.

Mr. Gaechter convened the meeting at 6:00 p.m.

Minutes: Mr. Palmer moved to approve the minutes of the special session of May 17, 2007, and the regular and executive sessions of May 22, 2007 and to hold the executive session. Mr. Lucy seconded it. Vote: 3-0, unanimous.

Public Comment: Susan Kadar questioned how the Board was going to present the article at next week's STM. Mr. Gaechter told her that the Town Administrator would start off the discussion, and at her choice, the Town Accountant and Chief of Police might also speak. Ms. Kadar said it appeared to her at the last FinCom meeting that the only item that made it mandatory to hold this STM was the \$25k for the Police Department. Ms. Nolan said that they also needed funds for a short term debt and for the harbor. The short term debt could be taken care of by Schedule A. She is not sure where the legal bill will come out. The Harbor shortage could probably be made up at the end of the year when leftover budget money is brought together. Mr. Gaechter said it seems that two items were put on for convenience. Ms. Kadar said she is worried as a member of the community, unless all the cards are put on the table, about the level of trust. Mr. Gaechter assured her that the Town Administrator was to make everything plain in her comments to the voters.

Richard Lavin, manager of Goodheart Properties III, LLC and owner of 29 Outermost Road read a prepared statement regarding his opinion that the CCNS is trying to erode the rights of property owners with pre-existing non-conforming lot sizes within the CCNS, and that this will also affect homeowners throughout the town.

Mr. Gaechter announced that two items on the agenda were being postponed: the application for a curb cut and the discussion on the bid results for the Community Center project.

Informal regulatory working group: Mr. Gaechter explained that they were meeting to discuss questions on the scope of this group, questions on Open Meeting Law, and questions about the participation of a town employee at their meetings, what their goal and objectives are. He explained that the group was originally formed by a discussion at a meeting on the need for better communication between the regulatory boards. But it seems as though more topics are being discussed, such as nitrogen loading on Beach Point, and so the BOS are concerned.

Each member in turn spoke of what they felt was the origin of the group, that they are an ad hoc group meeting to discuss the concerns of the Planning Board, ConsCom and the Board of Health.

They don't feel they come under the Open Meeting Law. They feel that they are becoming effective; they work well together. They prize their lack of formality; the meetings are freewheeling and open. No votes are taken, and they are not affecting policy. They would like to have a representative from the ZBA. The group discusses issues and brings their concerns and ideas back to their individual regulatory boards. They have been discussing overdevelopment on Beach Point, but realize they need science and facts to address this issue; they are going to get the science through a projection of build out on Beach Point and a study of the groundwater using test wells. They stressed the need for more public involvement, and feel that if they hold joint public hearings on important issues, they may have better attendance.

Mr. Palmer said that he has felt that coordination between Boards has been missing, but extending beyond that would be a problem. He agrees that zoning should be a part of the group. He feels they should be geared towards inter-relationship issues. If they become a steering committee towards specific places in town, that is getting away from its purpose. He questioned that without a Charge, how would they know this wouldn't happen. Mr. Lucy said that communication between the boards has always been a downfall. He said that not being open about discussions on specific areas in town could be disastrous, citing the North Truro Village case, which failed not because residents there disagreed with the goals of that group, but because they did not feel they were part of the process. Mr. Gaechter noted that Charter dictates that the Selectmen form all town committees, even the ad hoc ones. They just had someone give a workshop on the Open Meeting Law and they must be concerned with that as well. He has no problem with them continuing as long as the BOS are to understand that no work is being advanced by this group. If it is, then you are a town committee. He encouraged them to proceed, but monitor that the Open Meeting Law and the Charter are not being circumvented. Ms. Nolan said she believes that when three or four committees are meeting together, meetings must be posted and minutes taken at the very least. She can talk to the Attorney General's office or our Town Counsel. Mr. Gaechter said she should not ask; he already knows the answer. Ms. Greenhalgh noted that the group was told right from the start that they must go to their individual committees or to the BOS. She feels that they have been helpful. Ms. McCutcheon said she thought they should find out if they would be considered a committee. Mr. Palmer agreed that the question has to be asked. He asked if Ms. McCutcheon would work with the Town Administrator and draft the questions to be asked. She said she would do so.

Senior Municipal Tax Program: Ms. Grenier went over the changes she recommends. It should be changed to reflect the Fiscal year, the word abatement should be changed to real estate tax reduction, and the requirement to be a registered voter in Truro contained in Policy #30 should be removed. **Mr. Gaechter moved to re-authorize the Senior Municipal Tax Program with the changes, to include the change to Policy Memorandum #30. Mr. Lucy seconded it. Vote: 3-0, unanimous.**

Illegal dumping on town roads: Mr. Lucy said that he had observed dumped brush in the woods and found nothing in the town bylaws regarding fines for this. Mr. Morris said that this occurred now and then, but he didn't feel it was in any great amount. He questioned who would catch them doing; it would be difficult. They discussed whether this was a question for the

police, if it should be a bylaw or a BOS policy and if it would be covered by the anti-littering laws. Mr. Gaechter said if it was going to be enforced it would have to be a bylaw. Mr. Palmer thought the BOH could cover it in their regulations. The consensus was to speak to Chief Thomas first about enforcement. They discussed drafting a bylaw with different fines for different types of litter such as hazardous material and brush.

Pamet Park Plans: Mr. Morris gave the Board a copy of the plans. He said that the parking plans for the square should bring the traffic flow down the roads better, and provide needed parking. There will be crosswalks to Cobb library, the Veterans' Memorial and park. They plan to keep the grading as it is for drainage. It will be repaved when Truro Center Road is done in the next week or so. Mr. Gaechter requested that a stop sign is installed at the end of Castle Road. Mr. Morris will speak to Chief Thomas.

Transfer of funds: Golf Course: Ms. Nolan explained a request from the Golf Course Manager to transfer \$10k in excess funds from the salary account to the supply account to cover anticipated charges through the end of FY07. Both the BOS and FinCom must approve this. **Mr. Gaechter moved to authorize the transfer contingent upon the FinCom approving it. Mr. Palmer seconded it. Vote: 3-0, unanimous.**

MMA Cable franchising campaign kit: Mr. Klass gave an overview of the issue with Verizon's asking for changes in the franchising laws that would take away power from the towns. He noted that Verizon has said that they want to provide service to everyone, but in practice, they are cherry-picking. MMA has asked for the support of the towns in defeating this anti-consumer effort. He suggested that the BOS go along with MMA and write the letter to Verizon as they suggest, saying we want them to come to town; we welcome competition. **Mr. Gaechter moved to send the draft letter to Verizon, approve the resolution, and send letters to our legislators opposing H.3385 and S.1975. Mr. Palmer seconded it. Vote: 3-0, unanimous.**

Memorials and facilities naming policy: Ms. Nolan has been contacted again regarding a request for a plaque on a bench. The Board needs to decide on a policy, so she has brought back the draft policy. She will add benches to section 5. She spoke to Mr. Morris about this and he urged care in allowing too many plaques on benches. She suggested that they do what Chatham does, use rocks with plaques on them marking trees that have been planted in memory of a person. **Mr. Gaechter moved to approve the policy with the addition of benches to #5. Mr. Palmer seconded it. Vote: 3-0, unanimous.** They discussed the criteria in the policy that facilities would be named for people who have made outstanding contributions. Mr. Gaechter questioned if this request fit this. Ms. Nolan will suggest a tree to the Redos at a price of \$750-1,000.00. Mr. Palmer thought the requester should absorb the cost. They discussed providing a list of acceptable trees, the person picks from that and pays the cost. Mr. Palmer suggested that the person requesting could provide information on contributions. Mr. Gaechter suggested a form. He told Ms. Nolan that she needs to get back to the Redo family quickly.

Fee meeting: The consensus was to have the first joint meeting with FinCom on June 26th. The

Board will discuss their philosophy and the process to set the fees at their June 19th meeting.

Town Administrator's Report: (action items)

- The Board received a Municipal Partnership Act Advocacy Kit from the MMA. After discussion, **Mr. Gaechter moved to approve the resolution, and send letters to legislators supporting the Municipal Partnership Act. Mr. Palmer seconded it. Vote: 3-0, unanimous.** Ms. Nolan was directed to put together the items for the Board to review, and also for the Telecommunications one approved earlier.
- Reported on her conversation with Greg Hunt of the DEP regarding the weekend striking of the bells. The strike is on all weekend, and goes all night long. He told her that it must be under 40 decibels or turned off; ambient nighttime is 30 decibels. He told her that the nighttime strike has got to stop. He also asked the BOS to consider an earlier hour. The Board noted that they had thought the strike was turned off at night, and directed that Ms. Nolan see that it is. Mr. Gaechter felt that they should stay with their recent vote to ring the bells from 8:00 a.m. - 10:00 p.m. seven days a week. Since there will be no ringing at all after 10:00 p.m., Mr. Hunt is getting part of what he wants.
- Reported that the family of Lloyd Rose has requested that the Board commemorate the bench at Pamet Park on June 17th, which is his birthday.

Selectmen/Liaison Reports: (action items)

Gaechter: -Reported that their have been requests to see the Recreation Commission's plans for the burn dump and Snow's Field and Ms. Nolan is to obtain a copy and have it available at Town Hall. He noted that they should come before the BOS with the revised plan so the BOS can amend or approve it. After approval, the Recreation Commission will go to the CPC for funding; from there it will be put on a Town Meeting warrant.

Next week: STM. Ms. Nolan was directed to post a ½ hour meeting before STM in case it was needed.

At 7:58 p.m. Mr. Palmer moved to adjourn. Mr. Lucy seconded it. Vote: 3-0, unanimous.

Alfred Gaechter, Chairman

Gary Palmer, Vice-Chairman

Christopher R. Lucy, Clerk

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